

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RUSSELL ZINTER; JACK MILLER;
BRIAN HOWD; JAMES A. MEAD;
JOSEPH BRANDON PIERCE; MARK BROWN;
DAVID BAILEY; JUAN GONZALES JR.;
KEVIN EGAN; JONATHON GREEN;
JAMES SPRINGER

Plaintiffs,

VS.

CIVIL ACTION NO. 5:18-CV-0680-FB

CHIEF JOSEPH SALVAGGIO;
LIEUTENANT DAVID ANDERSON;
DEPUTY JANE DOE GOLDMAN;
OFFICER JOHNNY VASQUEZ;
CPL CHAD MANDRY; SERGEANT JOHN DOE;
OFFICER JIMMIE WELLS; CPL. LOUIS FARIAS,
BADGE 534; OFFICER BRANDON EVANS,
BADGE 556; OFFICER UZIEL HERNANDEZ;
JOHN DOE TASER 1; JOHN DOE TASER 2 AND
THE CITY OF LEON VALLEY, A POLITICAL
SUBDIVISION OF THE STATE OF TEXAS

Defendants.

**DEFENDANT CHIEF SALVAGGIO, ET AL'S
RESPONSE IN OPPOSITION TO OPPOSED MOTION TO MODIFY
CONFIDENTIALITY AND PROTECTIVE ORDER**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE JASON PULLIUM:

NOW COMES CHIEF OF POLICE JOSEPH SALVAGGIO, ET AL, Defendants in the above entitled and numbered cause and files this their Response in Opposition to Plaintiffs' Motion to Modify the Confidentiality and Protective Order previously entered in this case and would and would respectfully show unto the Court the following:

I.

On October 28, 2020 Plaintiffs' counsel and defense counsel entered into collectively a Joint Motion for Confidentiality and Protective Order (Dkt 81). Plaintiffs' lead attorney at the time was Solomon Radner but Bradon Grable was Co-Counsel to the Plaintiffs at the time of the filing of this Collective Joint Motion for Confidentiality and Protective Order.

On October 30, 2020, the Court granted the Motion and Entered the Confidentiality and Protective Order (Dkt. 82).

On November 18, 2021, over a year later, Plaintiffs' have filed an Opposed Motion to Modify the Confidentiality and Protective Order (Dkt. 122). Defendants herein would show unto the Court that there is no good cause or reason for amending the Confidentiality and Protective Order. Plaintiffs are self-described First Amendment Auditors who practice electronic civil disobedience against members of law enforcement. Plaintiffs' reliance on *Binh Hoa Le v. Exeter Fin Corp.*, 990 F.3d 410 (5th Cir. 2021) is misplaced. The case at bar is not just a public record case but involves discovery and video concerning the First Amendment Auditors in the case. Plaintiffs have offered no reasonable basis for amending the Confidentiality and Protective Order that was agreed to by all counsel of record over one year ago.

WHEREFORE, PREMISES CONSIDERED, Defendant Officers **CHIEF SALVAGGIO, ET AL** pray that Plaintiffs' Motion to Modify the Protective Order be in all things denied.

Respectfully submitted,

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JIMMIE WELLS, OFFICER BRANDON EVANS, OFFICER

UZIEL HERNANDEZ, OFFICER CLARENCE YARBOROUGH,

OFFICER JORGE BRETON, OFFICER JOANN AZAR,

OFFICER BENJAMIN CASTRO, OFFICER MIKE TAQUARD,

OFFICER ERIKA RIVERA

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of November, 2021, I electronically filed the foregoing Defendants Chief Salvaggio, et al's Response in Opposition to Plaintiffs' Opposed Motion to Modify the Confidentiality and Protective Order. with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Charles S. Frigerio
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